

FILED FOR RECORD

'92 JUL 23 P2:19

RESOLUTION NO. 355 -1992

921-4399  
A RESOLUTION BY THE MONROE COUNTY BOARD OF COMMISSIONERS, SITTING AS THE BOARD OF APPEALS, DENYING THE APPEAL FILED BY HEDY ANN DANZ AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO DENY A DIMENSIONAL VARIANCE TO ALLOW A COVERED CARPORT TO ENCROACH INTO THE REQUIRED SIDE SETBACK AND INTO THE REQUIRED FRONT YARD SETBACK TO THE FRONT PROPERTY LINE FOR PROPERTY LOCATED AT 19 BOUGANVILLEA AVENUE, KEY HAVEN 5TH ADDITION, RACCOON KEY, MONROE COUNTY, FLORIDA.

WHEREAS, on April 2, 1992, the Planning Commission denied Hedy Ann Danz' request for a dimensional variance to allow an attached carport to encroach into a required side yard setback to within approximately nine (9) inches of the side property line, and into the required front yard setback to the front property line for property located at 19 Bouganvillea Avenue, Key Haven 5th Addition, Raccoon Key, Monroe County, Florida; and

WHEREAS, Hedy Ann Danz appealed said decision to the Board of County Commissioners; and

WHEREAS, this Board has heard the argument from both the Appellant and Respondent and having reviewed the record of the appeal; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, SITTING AS THE BOARD OF APPEALS, as follow:

1. The Board hereby denies the appeal of Hedy Ann Danz in that Ms. Danz failed to show an error on the part of the Planning Commission; and

2. The Board hereby upholds the Planning Commission's April 2, 1992, decision to deny Ms. Danz's request for a dimensional variance in that Ms. Danz did not meet the criteria for granting of a variance as specified in Sec. 9.5-523, Monroe County Code, amended.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 15th day of July, A.D., 1992.

Vote at Hearing on 6/29/92

Mayor Harvey	<u>No</u>
Mayor Pro Tem London	<u>Yes</u>
Commissioner Cheal	<u>Yes</u>
Commissioner Jones	<u>No</u>
Commissioner Stormont	<u>Yes</u>

Vote for this Resolution

Mayor Harvey	<u>Yes</u>
Mayor Pro Tem London	<u>Yes</u>
Commissioner Cheal	<u>Yes</u>
Commissioner Jones	<u>Not present</u>
Commissioner Stormont	<u>Yes</u>

(SEAL)  
ATTEST: DANNY L. KOLHAGE, CLERK

By: *Daniel L. Kolhage*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: *William H. Harvey*  
Mayor/Chairman

APPROVED AS TO FORM  
AND CONTENTS  
*[Signature]*  
CLERK  
DATE 2 JUL 1992